

## United States Patent and Trademark Office

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/815,911	03/31/2004	Giuseppe Curello	42P18251	9311	
8791	7590 11/29/2005		EXAMINER		
BLAKELY SOKOLOFF TAYLOR & ZAFMAN			CHAUDHARI, CHANDRA P		
12400 WILSI SEVENTH F	HIRE BOULEVARD LOOR		ART UNIT	PAPER NUMBER	
LOS ANGEL	ES, CA 90025-1030	A 90025-1030		2891	
			DATE MAILED: 11/29/2003	5	

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary    Total Spin   Cure   Color   Chandra Chaudhan   Cure   Chandra Chaudhan   Capt				<del></del>			
Examiner Chandra Chaudhan Z891		Application No.	Applicant(s)	A1			
Chandra Chaudhari  Albacharia  Chandra Chaudhari  A		10/815,911	CURELLO ET AL.				
The MALING DATE of this communication appears on the cover sheet with the correspondence address — Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.  Edurations if the many be available under the providence of 30° FRI.1360, in one cent, however, may reply be timely filed to be communication of 30° FRI.1360, in one cent, however, may reply be timely filed to the communication of 30° FRI.1360, in one cent, however, may reply be timely filed on 50° FRI.1360, in one cent, however, may reply be timely filed on 50° FRI.1360, in one cent, however, may reply be timely filed on 50° FRI.1360, in one cent, however, may reply be timely filed on 50° FRI.1360, in one cent, however, may reply be timely filed on 50° FRI.1360, and yearly reply received by the Office later than there months able the mailing date of this communication, even if timely filed, may reduce any sentent plant the mailing date of this communication, even if timely filed, may reduce any sentent plant the mailing date of this communication, even if timely filed, may reduce any sentent plant the mailing date of this communication, even if timely filed, may reduce any sentent plant the mailing date of this communication, even if timely filed, may reduce any sentent plant the mailing date of this communication, even if timely filed, may reduce any sentent plant the mailing date of this communication, even if timely filed, may reduce any sentent plant the mailing date of this communication.  1) □ Responsive to communication (s) filed on 12 September 2005.  2(a) □ This action is FIRI.1260, and the mailing date of this communication, even if timely filed, may reduce any sentent plant the mailing date of this communication.  2(b) □ Claim (s) □ FIRI.1260, and the mailing date of the mailing date of this communication, even if timely filed, may reduce any sentent plant the	Office Action Summary	Examiner	Art Unit				
Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.  after SIX (6) MONTHS from the mailing date of his communication.  If NO period for pely is specified down, the maintain exhibitory ported vallage yau will septie falls (6) MONTHS from the mailing date of his communication.  If NO period for pely is specified down, the maintain exhibitory ported vallage yau will septie falls (6) MONTHS from the mailing date of his communication.  If NO period for pely is specified above, the maintain exhibitory ported vallage yau will septie falls (6) MONTHS from the mailing date of this communication.  If NO period for pely is specified above, the maintain exhibitory ported vallage yau will septie falls (6) MONTHS from the mailing date of this communication.  If NO period transports are supplied to the territory of the period on the period patient term adjustment. See 37 CFR 1.704(b).  Status  1) Septimized term adjustment. See 37 CFR 1.704(b).  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4) Claim(s) 1.34 is/are pending in the application.  4) Of the above claim(s) 24-34 is/are withdrawn from consideration.  5) Claim(s) is/are allowed.  6) Claim(s) is/are allowed.  6) Claim(s) are subject to restriction and/or election requirement.  Application Papers  9) The specification is objected to by the Examiner.  10) The drawing(s) filed on 31 March 2004 is/are: a) accepted or b) objected to by the Examiner.  Application papers  9) The specification is objected to by the Examiner.  10) The article of the profity documents are required if the drawing(s) is objected to. See 37 CFR 1.85(a).  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  11) The oath or declaration							
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.  ■ Extensions of time may be available under the provisions of 37 CPR 1.136(a). In no even, thewere, may a reply be timed filled enter 50 (g) MoNTH's from the mailing date of this communication.  ■ No period for reply is specified above, the maximum sclidary period will apply and vill explice SIX (g) MONTH's from the mailing date of this communication.  ■ No period for reply is specified above, the maximum sclidary period will apply and vill explice SIX (g) MONTH's from the mailing date of this communication, even if timely filled, may reduce any earned pattern adjustment. See 37 CPR 1.704(b).  ■ Responsive to communication(s) filled on 12 September 2005.  ■ This action is FINAL.  ■ 20) ■ This action is FINAL.  ■ 20) ■ This action is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  ■ Disposition of Claims  ■ 4) ■ Claim(s) 1-24 is fare pending in the application.  ■ (a) Of the above claim(s) 24-34 is/are withdrawn from consideration.  ■ (a) Claim(s) 1-23 is/are allowed.  ■ (b) ■ (claim(s) 1-23 is/are rejected.  ■ (claim(s) 1-24 is/are rejected.  ■ (claim(s) 1-25 is/are rejected.  ■ (claim(s) 1-26 is/are rejected.  ■ (claim(s) 1-26 is/are rejected.  ■ (claim(s) 1-27 is/are rejected.  ■ (claim(s) 1-28 is/		ears on the cover sheet with the c	orrespondence address:	<b>-</b>			
1) Responsive to communication(s) filed on 12 September 2005.  2a) This action is FINAL. 2b) This action is non-final.  3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4) Claim(s) 1-34 is/are pending in the application.  4a) Of the above claim(s) 24-34 is/are withdrawn from consideration.  5) Claim(s) 1-23 is/are allowed.  6) Claim(s) 1-23 is/are rejected.  7) Claim(s)	<ul> <li>WHICHEVER IS LONGER, FROM THE MAILING DA</li> <li>Extensions of time may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailing date of this communication.</li> <li>If NO period for reply is specified above, the maximum statutory period w</li> <li>Failure to reply within the set or extended period for reply will, by statute, Any reply received by the Office later than three months after the mailing</li> </ul>	ATE OF THIS COMMUNICATION 36(a). In no event, however, may a reply be tin ill apply and will expire SIX (6) MONTHS from cause the application to become ABANDONE	N. nely filed the mailing date of this communic D (35 U.S.C. § 133).	·			
2a) This action is FINAL.  2b) This action is non-final.  3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4) Claim(s) 1-34 is/are pending in the application.  4a) Of the above claim(s) 24-34 is/are withdrawn from consideration.  5) Claim(s)	Status						
3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4) Claim(s) 1-34 is/are pending in the application. 4a) Of the above daim(s) 24-34 is/are withdrawn from consideration. 5) Claim(s) is/are allowed. 6) Claim(s) is/are rejected. 7) Claim(s) is/are objected to. 8) Claim(s) are subject to restriction and/or election requirement.  Application Papers  9) The specification is objected to by the Examiner. 10) The drawing(s) filed on 31 March 2004 is/are: a) accepted or b) □ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to .See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some C  None of: 1. Copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received.  Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Oraftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) 6) Other: Othe	1) Responsive to communication(s) filed on 12 Se	eptember 2005.					
closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4)  Claim(s) 1-34 is/are pending in the application. 4a) Of the above claim(s) 24-34 is/are withdrawn from consideration. 5)  Claim(s)  is/are allowed. 6)  Claim(s) 1-23 is/are rejected. 7)  Claim(s)  is/are objected to. 8)  Claim(s)  are subject to restriction and/or election requirement.  Application Papers  9)  The specification is objected to by the Examiner. 10)  The drawing(s) filed on 31 <i>March 2004</i> is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) 6) Notice of Informal Patent Application (PTO-152) 6) Other:	2a) ☐ This action is <b>FINAL</b> . 2b) ☑ This	action is non-final.					
A) Claim(s) 1-34 is/are pending in the application. 4a) Of the above claim(s) 24-34 is/are withdrawn from consideration.  5) □ Claim(s) □ is/are allowed. 6) □ Claim(s) □ is/are ejected. 7) □ Claim(s) □ is/are objected to. 8) □ Claim(s) □ is/are objected to. 8) □ Claim(s) □ is/are objected to. 80 □ Claim(s) □ is/are objected to restriction and/or election requirement.  Application Papers  9) □ The specification is objected to by the Examiner. 10) □ The drawing(s) filed on 31 March 2004 is/are: a) □ accepted or b) □ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) □ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12) □ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) □ All b) □ Some * o) □ None of: 1. □ Certified copies of the priority documents have been received. 2. □ Certified copies of the priority documents have been received in Application No. □ 3. □ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  Attachment(s)  1) ☑ Notice of References Cited (PTO-892) 2) □ Notice of Oraftsperson's Patent Drawing Review (PTO-948) 3) □ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date	3) Since this application is in condition for allowan	nce except for formal matters, pro	secution as to the men	its is			
4)	closed in accordance with the practice under E	x parte Quayle, 1935 C.D. 11, 4	53 O.G. 213.				
4a) Of the above claim(s) 24-34 is/are withdrawn from consideration.  5) □ Claim(s) is/are allowed.  6) ☒ Claim(s) is/are objected to.  7) □ Claim(s) is/are objected to.  8) □ Claim(s) are subject to restriction and/or election requirement.  Application Papers  9) □ The specification is objected to by the Examiner.  10) ☒ The drawing(s) filed on 31 March 2004 is/are: a) □ accepted or b) ☒ objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  11) □ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12) □ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) □ All b) □ Some * c) □ None of:  1. □ Certified copies of the priority documents have been received.  2. □ Certified copies of the priority documents have been received in Application No  3. □ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  Attachment(s)  1) ☒ Notice of References Cited (PTO-892)  2) ☐ Notice of Orathsperson's Patent Drawing Review (PTO-948)  3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  5) ☐ Notice of Informal Patent Application (PTO-152)  6) □ Other:	Disposition of Claims						
5	4) Claim(s) 1-34 is/are pending in the application.						
6) Claim(s) 1-23 is/are rejected. 7) Claim(s) is/are objected to. 8) Claim(s) are subject to restriction and/or election requirement.  Application Papers  9) The specification is objected to by the Examiner.  10) The drawing(s) filed on 31 March 2004 is/are: a) accepted or b) objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) All b) Some One One One One One One One One One On	4a) Of the above claim(s) 24-34 is/are withdraw	n from consideration.					
7) Claim(s) is/are objected to. 8) Claim(s) are subject to restriction and/or election requirement.  Application Papers  9) The specification is objected to by the Examiner.  10) The drawing(s) filed on 31 March 2004 is/are: a) accepted or b) objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) All b) Some col None of:  1. Certified copies of the priority documents have been received.  2. Certified copies of the priority documents have been received in Application No.  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  Attachment(s)  1) Notice of References Cited (PTO-892)  2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  3) Information Disclosure Statement(s) (PTO-149 or PTO/SB/08)  Paper No(s)/Mall Date 4-23-24, 9-12-05.  6) Other:	5) Claim(s) is/are allowed.						
8	6)⊠ Claim(s) <u>1-23</u> is/are rejected.						
Application Papers  9) ☐ The specification is objected to by the Examiner.  10) ☒ The drawing(s) filed on 31 March 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) ☐ All b) ☐ Some * c) ☐ None of:  1 ☐ Certified copies of the priority documents have been received.  2 ☐ Certified copies of the priority documents have been received in Application No  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  Attachment(s)  1) ☒ Notice of References Cited (PTO-992)  2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  Paper No(s)/Mail Date 4:23-04, 9-12-05.  6) ☐ Other:  5) ☐ Notice of Informal Patent Application (PTO-152)  6) ☐ Other:	<u> </u>						
9) ☐ The specification is objected to by the Examiner.  10) ☒ The drawing(s) filed on 31 March 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) ☐ All b) ☐ Some * c) ☐ None of:  1. ☐ Certified copies of the priority documents have been received.  2. ☐ Certified copies of the priority documents have been received in Application No  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  Attachment(s)  1) ☒ Notice of References Cited (PTO-892)  2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  Paper No(s)/Mail Date 4-23-04, 9-12-05.	8) Claim(s) are subject to restriction and/or	r election requirement.					
10)⊠ The drawing(s) filed on 31 March 2004 is/are: a) accepted or b)⊠ objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  11)□ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12)□ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a)□ All b)□ Some * c)□ None of:  1.□ Certified copies of the priority documents have been received.  2.□ Certified copies of the priority documents have been received in Application No  3.□ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  Attachment(s)  1) ☒ Notice of References Cited (PTO-892)	Application Papers						
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) All b) Some * c) None of:  1. Certified copies of the priority documents have been received.  2. Certified copies of the priority documents have been received in Application No.  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  Attachment(s)  1) Notice of References Cited (PTO-892)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  Notice of Informal Patent Application (PTO-152)  Paper No(s)/Mail Date 4-23-04, 9-12-05.	9) The specification is objected to by the Examine	r.					
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) All b) Some * c) None of:  1. Certified copies of the priority documents have been received.  2. Certified copies of the priority documents have been received in Application No  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  Attachment(s)  1) Notice of References Cited (PTO-892)  2) Notice of Oraftsperson's Patent Drawing Review (PTO-948)  3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  Paper No(s)/Mail Date 4-23-04, 9-12-05.  6) Other:	10)⊠ The drawing(s) filed on <u>31 March 2004</u> is/are: a	a)∏ accepted or b)⊠ objected to	o by the Examiner.				
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) ☐ All b) ☐ Some * c) ☐ None of:  1. ☐ Certified copies of the priority documents have been received.  2. ☐ Certified copies of the priority documents have been received in Application No  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  Attachment(s)  1) ☐ Notice of References Cited (PTO-892)  2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  3) ☑ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 4-23-04, 9-12-05.  5) ☐ Notice of Informal Patent Application (PTO-152) Paper No(s)/Mail Date 4-23-04, 9-12-05.	· · · · · · · · · · · · · · · · · · ·						
Priority under 35 U.S.C. § 119  12)							
12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) ☐ All b) ☐ Some * c) ☐ None of:  1. ☐ Certified copies of the priority documents have been received.  2. ☐ Certified copies of the priority documents have been received in Application No  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  Attachment(s)  1) ☐ Notice of References Cited (PTO-892)  2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 4-23-04, 9-12-05.  6) ☐ Other:	11)∐ The oath or declaration is objected to by the Ex	aminer. Note the attached Office	Action or form PTO-15	2.			
a) ☐ All b) ☐ Some * c) ☐ None of:  1. ☐ Certified copies of the priority documents have been received.  2. ☐ Certified copies of the priority documents have been received in Application No  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  Attachment(s)  1) ☑ Notice of References Cited (PTO-892)  2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  3) ☑ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 4-23-04, 9-12-05.  6) ☐ Other:	Priority under 35 U.S.C. § 119						
1. ☐ Certified copies of the priority documents have been received. 2. ☐ Certified copies of the priority documents have been received in Application No 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  Attachment(s) 1) ☑ Notice of References Cited (PTO-892) 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) ☑ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 4-23-04, 9-12-05. 4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date 5) ☐ Notice of Informal Patent Application (PTO-152) Paper No(s)/Mail Date 4-23-04, 9-12-05.	12) Acknowledgment is made of a claim for foreign	priority under 35 U.S.C. § 119(a)	)-(d) or (f).				
2. ☐ Certified copies of the priority documents have been received in Application No  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  Attachment(s)  1) ☑ Notice of References Cited (PTO-892)  2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  3) ☑ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  Paper No(s)/Mail Date 4-23-04, 9-12-05.  4) ☐ Interview Summary (PTO-413)  Paper No(s)/Mail Date  Notice of Informal Patent Application (PTO-152)  Paper No(s)/Mail Date 4-23-04, 9-12-05.							
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  Attachment(s)  1) ☑ Notice of References Cited (PTO-892) 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) ☑ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 4-23-04, 9-12-05.  1 ○ Other:	1. Certified copies of the priority documents have been received.						
application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  Attachment(s)  1) ☑ Notice of References Cited (PTO-892)  ☑ Notice of Draftsperson's Patent Drawing Review (PTO-948)  3) ☑ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  Paper No(s)/Mail Date 4-23-04, 9-12-05.  Attachment(s)  4) ☐ Interview Summary (PTO-413)  Paper No(s)/Mail Date  5) ☐ Notice of Informal Patent Application (PTO-152)  Cother:							
* See the attached detailed Office action for a list of the certified copies not received.  Attachment(s)  1) Notice of References Cited (PTO-892) Notice of Draftsperson's Patent Drawing Review (PTO-948)  3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 4-23-04, 9-12-05.  * See the attached detailed Office action for a list of the certified copies not received.  4) Interview Summary (PTO-413) Paper No(s)/Mail Date  5) Notice of Informal Patent Application (PTO-152) Paper No(s)/Mail Date 4-23-04, 9-12-05.	·	•	ed in this National Stage	9			
Attachment(s)  1) Notice of References Cited (PTO-892)  2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 4-23-04, 9-12-05.  4) Interview Summary (PTO-413) Paper No(s)/Mail Date  5) Notice of Informal Patent Application (PTO-152) 6) Other:	• •	, , , ,	.a				
1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 4-23-04, 9-12-05. 4) Interview Summary (PTO-413) Paper No(s)/Mail Date 5) Notice of Informal Patent Application (PTO-152) 6) Other:	See the attached detailed Office action for a list	or the certified copies not receive	a.				
1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 4-23-04, 9-12-05. 4) Interview Summary (PTO-413) Paper No(s)/Mail Date 5) Notice of Informal Patent Application (PTO-152) 6) Other:							
1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 4-23-04, 9-12-05. 4) Interview Summary (PTO-413) Paper No(s)/Mail Date  5) Notice of Informal Patent Application (PTO-152) 6) Other:	AManharan Mah						
2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 4-23-04, 9-12-05.	_	4) Interview Summan	(PTO-413)				
Paper No(s)/Mail Date <u>4-23-04, 9-12-05</u> . 6) Other:		Paper No(s)/Mail Da	ate				
	3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)		atent Application (PTO-152)				
	Paper No(s)/Mail Date <u>4-23-04, 9-12-05.</u> J.S. Patent and Trademark Office	o) [_] Other:					

Page 2

Art Unit: 2891

Applicant's election of claims 1-23 in the reply filed on September 12, 2005 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

Figures 1-2 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Art Unit: 2891

Claims 12-14, 18-23 are rejected under 35 U.S.C. 102(b) as being anticipated by the article by Ito – "Mechanical Stress Effect of Etch-Stop Nitride ... Design".

Ito (Figs. 1, 4-5, 13-14, Table 1 and pages 247-248) discloses the claimed invention by making a semiconductor device with trench isolation, a tensile inducing layer of silicon nitride wherein the layer introduces a tensile stress with thickness and stress as claimed.

Claims 12-14, 18-23 are rejected under 35 U.S.C. 102(b) as being anticipated by the article by Shimizu – "Local Mechanical-Stress Control ... Enhancement".

Shimizu (Figs. 1-4, Table 1, and pages 433-434) discloses the claimed invention by making a semiconductor device with trench isolation, a tensile inducing layer of silicon nitride with thickness and stress as claimed.

Claims 1-23 are rejected under 35 U.S.C. 102(b) as being anticipated by the article by Ito – "Effect of mechanical stress induced by etch-stop nitride ... performance".

Ito (Figs. 1, 3, 11-14, Table 1, and text) discloses the claimed invention by making a semiconductor device with trench isolation, a gate stack, implanting to form source and drain regions, contacts, a silicide layer formed prior to a tensile stress inducing layer of silicon nitride with thickness and stress as claimed.

Application/Control Number: 10/815,911

Art Unit: 2891

Claims 12-14, 18-20, 23 are rejected under 35 U.S.C. 102(e) as being anticipated by Toda – US 2005/0032275.

Toda (Fig. 14 and text in paragraphs 66-67) discloses the claimed invention by creating tensile stress in a silicon substrate 1 by creating STI 2, and tensile inducing layer of silicon nitride 7a.

Claims 1-8, 11-20, 23 are rejected under 35 U.S.C. 102(e) as being anticipated by Yeo – US 2004/0212035.

Yeo (Fig. 6b and text in paragraphs 58-63) discloses the claimed invention by making a semiconductor device with implanted source and drain regions, trench isolation 220, a gate stack, a tensile stress inducing layer of silicon nitride 260 with a silicide layer over the source and drain and the gate stack.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Art Unit: 2891

Claims 1-11, 15-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over (Ito or Shimizu) and applicant's admitted prior art.

(Ito or Shimizu) is applied as above and does not disclose creating contacts to the source and drain regions, and the gate stack nor implanting to create the source and drain regions. Applicant's admitted prior art on pages 1, 5-6 teaches that metal lines are provided to the source and drain regions and the gate to provide the required voltage for the proper device operation. Implanting to form the source and drain regions is well within the level of ordinary skill in the art to precisely dope the regions to form the pn junction.

It would have been obvious to create contacts and implant as discussed above.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Currie - US 6,831,292 describes making devices with strained layers.

Art Unit: 2891

Any inquiry concerning this communication or earlier communications from the examiner

should be directed to Chandra Chaudhari whose telephone number is 571-272-1688. The examiner

can normally be reached on Mon - Fri (9:00-5:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bill

Baumeister can be reached on 571-272-1722. The fax phone number for the organization where this

application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application

Information Retrieval (PAIR) system. Status information for published applications may be obtained

from either Private PAIR or Public PAIR. Status information for unpublished applications is available

through Private PAIR only. For more information about the PAIR system, see http://pair-

direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the

Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Chandra Chaudhari

**Primary Examiner** 

Art Unit 2891

Chandra Chaudhari

C. Chardhari

November 23, 2005